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*Attorneys for Defendant,  
Markel Insurance Company*

**IN THE DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

_____	:	CIVIL ACTION
HEALTHFLEET AMBULANCE, INC.	:	
	:	
Plaintiff,	:	Case No.
	:	
vs.	:	Formerly in the Court of Common
	:	Pleas, Philadelphia County
MARKEL INSURANCE COMPANY	:	
	:	
Defendant.	:	
	:	
_____	:	

**NOTICE OF REMOVAL**

Defendant Markel Insurance Company, by and through its attorneys, McClellan Bernstiel, LLP, hereby removes Case No. 1908-00678 from the Court of Common Pleas, Philadelphia County, to the United States District Court for the Eastern District of Pennsylvania pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and in support thereof states as follows:

1. On April 21, 2020, Plaintiff Healthfleet Ambulance, Inc. ("Plaintiff") filed an Amended Complaint in the Court of Common Pleas, Philadelphia County, captioned *Healthfleet Ambulance, Inc. v. Markel Insurance Company*, Case No. 1908-00678 (the "State Court Action"). Plaintiff's Amended Complaint is attached hereto as Exhibit "A."

2. This Notice of Removal is timely filed within the thirty (30) day period prescribed for removal to federal court under 28 U.S.C. §1446(b).

3. Plaintiff Healthfleet Ambulance, Inc. is a Pennsylvania corporation with its principal place of business in the Commonwealth of Pennsylvania. *See* Ex. A at ¶1.

4. Defendant Markel Insurance Company (“MIC”) is an Illinois corporation with its principal place of business in Illinois.

5. Plaintiff’s Amended Complaint seeks damages for bad faith in connection with MIC’s settlement of an underlying lawsuit against Plaintiff. *See* Ex. A.

6. In its Amended Complaint, Plaintiff has demanded judgment against MIC in an amount in excess of \$75,000.00, together with costs, interest and attorney’s fees. *See* Ex. A.

7. Plaintiff’s Initial Complaint, filed on January 29, 2020, did not seek damages in excess of \$75,000, exclusive of interests and costs, and Plaintiff certified to MIC that its damages calculation at that time was not in excess of \$75,000, exclusive of interests and costs. *See* Ex. B.

8. By virtue of Plaintiff’s filing its Amended Complaint, this Court now has jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a) because there is complete diversity of citizenship between the parties and more than \$75,000, exclusive of interests and costs, is at stake.

9. Pursuant to 28 U.S.C. § 1446(a), true and correct copies of all of the process, pleadings, orders, and documents from the State Court Action that MIC received from Plaintiff are being filed with this Notice of Removal.

10. This Notice of Removal has been filed pursuant to 28 U.S.C. §§ 1441(a) and 1446(a) because the United States District Court for the Eastern District of Pennsylvania is the

federal judicial district embracing the Court of Common Pleas, Philadelphia County, where Plaintiff filed the State Court Action.

11. Contemporaneously with the filing of this Notice of Removal, copies of this Notice are being served upon counsel for Plaintiff and upon the Prothonotary of the Court of Common Pleas, Philadelphia County.

12. Attached hereto as Exhibit "C" is a copy of the notice that will be filed with the Prothonotary of the Court of Common Pleas, Philadelphia County promptly after the filing of this Notice of Removal to the United States District Court for the Eastern District of Pennsylvania.

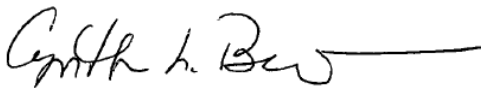
13. By filing this Notice of Removal, MIC does not waive any objection that MIC may have to service, jurisdiction or venue, or any other defenses or objections that MIC may have to this action. MIC intends no admission of fact, law or liability by this Notice, and expressly reserve all defenses, motions and/or pleas.

WHEREFORE, Defendant Markel Insurance Company respectfully request that this Court accept and take jurisdiction of this action.

May 12, 2020

**Respectfully submitted,**

**MCCLELLAN BERNSTIEL, LLP**

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